

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

CH

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/930, 472	12/29/97	DE VOS	J 450117-4172

LM12/0415

WILLIAM S. FROMMER, ESQ.
FROMMER LAWRENCE AND HAUG LLP
745 FIFTH AVENUE
NEW YORK NY 10151

EXAMINER

SRIVASTAVA, V

ART UNIT	PAPER NUMBER
2711	7

DATE MAILED: 04/15/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/930,472	Applicant(s) De Vos et al
	Examiner First Last	Group Art Unit 1234

Responsive to communication(s) filed on Dec 29, 1997

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-17 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1-16 is/are rejected.

Claim(s) 17 is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 6

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2711

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1 - 14 are rejected under 35 U.S.C. 102(a) as being anticipated by Voeten et al (cited by Applicant - 0 625 857 A1).

Considering claim 1, Voeten discloses the claimed one or more storage means and the claimed managing means (col. 2 line 24 - col. 5 line 3).

Considering claim 2, Voeten discloses the claimed routing means comprises at least one ATM switch (switch is inherently included for routing signals in ATM network, col 8 lines 20-27),

Considering claim 3, Voeten discloses the claimed information data are video and/or audio data (col. 1 lines 1-7).

Considering claim 4, Voeten discloses the claimed demand data include a public address assigned to the selected information data (col. 2 line 49 - col. 3 line 5, col. 4 line 52 - col. 5 line 3).

Art Unit: 2711

Considering claim 5, Voeten discloses the claimed control means (col. 4 line 52 - col. 6 line 20).

Considering claim 6, Voeten discloses the claimed management means provide program data for the operation of visual display of information data (fig. 1, DSC).

Considering claim 7, Voeten discloses the claimed managing means (col. 2 line 1 - col. 3 line 5, program data is met by managing means sending message to memory for retrieval of data for transmission to user end).

Considering claim 8, Voeten discloses the claimed information retrieval comprises video on demand (col. 6 lines 29-44).

Considering claim 9, Voeten discloses the claimed second storage medium (col. 2 line 1 - col. 6 line 20).

Considering claim 10, Voeten discloses the claimed memory means, program memory means, control means and at least one interface (col. 2 line 1 - col. 6 line 13, col. 7 lines 26-52, col. 10 lines 12-37).

Considering claim 11, Voeten discloses the claimed routing information relates to one or more virtual channels and interface is an ATM interface (col. 8 lines 7-27).

Considering claim 12, Voeten discloses the claimed interface receives control data representing a selected operation mode for the end device and wherein the control means control the memory means according to the received control data so that the information data are

Art Unit: 2711

reproduced from the memory means in the selected operation mode (col. 3 line 19 - col. 6 line 52).

Considering claim 13, Voeten discloses the claimed operation mode comprises still mode, fast forward mode, reverse mode and/or mosaic mode (col. 6 lines 45-52).

Considering claim 14, Voeten discloses the claimed video and/or audio data is divided in a predetermined number of data groups, the predetermined number of data groups is recorded in a sequence different from the original sequence on a recording medium in a storage medium unit and wherein routing means delivers continuous video and/or audio data to the end device by switching data groups from one or more storage medium units to one or more end devices (col. 3 line 19 - col. 6 line 20).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voeten et al.

Art Unit: 2711

Considering claim 15, Voeten fails to disclose the claimed recording medium is an agile disk and wherein a first portion of data group is recorded on every N-th track of the, and the remaining portions of data groups are recorded on remaining tracks of the disk.

Voeten discloses a recording medium. The Examiner takes Official Notice that recording a first portion of data on every N'th track and the remaining portions on remaining tracks would have provided a quick efficient means of retrieving information. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Voeten to include recording on an agile disk to provide a quick efficient means of retrieving information.

Considering claim 16, Voeten fails to disclose the claimed first portion of data groups is reproduced by moving a head in a first direction and the remaining portion of the data groups is reproduced by moving the head in a second direction opposite to the first direction.

The Examiner takes Official Notice that moving a disk head in two directions would have been a well known means of efficiently reproducing two groups of data. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Voeten to include moving the disk head in two directions to provide a more efficient data reproducing system.

Art Unit: 2711

Allowable Subject Matter

5. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Seazholtz et al. - Transaction implementation in video dial tone network

Kostreski et al. - Digital entertainment terminal with channel mapping

Strauss et al. - Intelligent network having digital entertainment terminal

Bingham et al. - Access subnetwork controller for video dial tone networks

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Art Unit: 2711

Or:

(703) 308- 5399 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner
should be directed to Vivek Srivastava whose telephone number is (703) 305 - 4038. The
examiner can normally be reached on Monday - Thursday from 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Andy Faile, can be reached at (703) 305 - 4380.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the group receptionist whose telephone number is (703) 305 - 3900.


VS 4/10/99


ANDREW I. FAILE
SUPERVISORY PATENT EXAMINER
GROUP 2700